

## **Providing advice to immigration detainees in prison**

These FAQs specifically relate to the provision of 30 minutes advice to immigration detainees that are being held in the prison system as detailed in the immigration and asylum specification at para 8.146 – 8.154.

### **How will I know there is a client to see?**

Clients will be given a list of Legal Aid immigration and asylum providers and they will call or email you directly.

### **How do I make an appointment?**

Each prison has their own system so this will depend on where your client is being held. Full details on how to make an appointment for each prison can be found at [Prisons in England and Wales - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/prisons-in-england-and-wales) Search for the name of the prison which are arranged alphabetically and click on the relevant prison. Scroll down to the section entitled 'How to book legal and professional visits'.

### **Who do I contact if there are any problems making the appointment or when I see my client?**

On the same page where you can find out how to book a legal visit there is also a section entitled 'Problems and complaints' that will let you know what the complaint process is for that prison.

### **How do I bill for this work?**

Updated guidance on how to claim payment for providing this advice can be found at [CWA codes guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/cwa-codes-guidance)

### **What record do I need to make of the appointment for the detainee?**

Please use Annex A (at the end of this document) to make a record of the appointment and make sure that this is shared with the detainee at the of the meeting.

## **Annex 1**

### **CONTRACT REPORT FORM – DETAINEES IN PRISON**

#### **PRO FORMA TO COMPLETE AND HAND/SEND TO CLIENT AT THE END OF THE APPOINTMENT**

<b>HMP:</b>	<b>DATE:</b>
<b>FACE TO FACE/VIRTUAL APPOINTMENT</b>	

#### **SECTION 1: CLIENT DETAILS**

<b>NAME:</b>	<b>MOBILE NO.:</b>
<b>HO REF:</b>	<b>CID:</b>
<b>D.O.B:</b>	<b>PRISON NO:</b>
<b>NATIONALITY:</b>	<b>LANGUAGE:</b>

#### **SECTION 2: YOUR INSTRUCTIONS**

##### **DETENTION HISTORY**

<b>DETAINED SINCE:</b>	
<b>REASONS AND CIRCUMSTANCES FOR DETENTION:</b>	
<b>REASON FOR REMOVAL (i.e. Dublin/Third Country, administrative removal, deportation, certification of human rights claim):</b>	
<b>ANY PREVIOUS DETENTION, DATES AND DETAILS:</b>	

<b>BAIL ADDRESS AND FINANCIAL CONDITION SUPPORTERS?</b>	

**Other instructions re: detention**

**Any vulnerabilities present which may indicate that the person is not suitable for detention?**

**IMMIGRATION HISTORY**

<b>DATE AND METHOD OF ENTRY TO UK:</b>	
<b>PREVIOUS APPLICATIONS MADE AND OUTCOMES:</b>	
<b>REMOVAL WINDOW ISSUED? IF Y, WHAT ARE THE RELEVANT DATES?</b>	
<b>BARRIERS TO REMOVAL?</b>	

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**Other instructions re: immigration history:**

**PREVIOUS REPRESENTATIVES**

<b>Name and address:</b>	
<b>When and why did they stop acting?</b>	
<b>How was this funded?</b>  (Note to lawyer: If legal help and advice or assistance received for the same substantive immigration/asylum matter within the past six months, you may still be able to take the matter on, refer to 3.40 to 3.44 of the 2018 Standard Civil Contract Specification for guidance)	

**SECTION 3: ADVICE PROVIDED AND NEXT STEPS**

**Subject to you providing the evidence of means we need in order to assess your legal aid eligibility:**

I confirm that I will be opening a file for you in order to make an application for bail. I will be in contact with you shortly to make another appointment.

I confirm that I will be opening a file for you in order to assist with your immigration matter. I will be in contact with you shortly to make another appointment.

I confirm that I will be making an application for legal aid funding to assist with your judicial review matter. I will be in contact with you shortly to make another appointment.

I confirm that I will be making an application for Exceptional Case Funding to assist with your immigration matter, which is out of scope for legal aid. I will be in contact with you shortly to make another appointment.

I confirm that I will not be taking any further action on your case, this is because (full reasons to be provided):

I cannot open a file for you or start work on your case until I have your evidence of means. I confirm I advised you to provide the following documents by [date ]:

#### **SECTION 4: CONTACT DETAILS AND COMPLAINTS PROCEDURE**

I, [name] have advised you today. I am a [job title] at [name of firm]. I am accredited as a Level 2 Senior Caseworker under the Law Society's Immigration and Accreditation Scheme which means that I am qualified to carry out this publicly funded work. I am supervised by [name of supervisor]. My direct phone number is [xxxxxxx] and my email address is [xxxxxxx].

#### **What if you are not happy with the service provided?**

We are committed to providing high quality legal advice and client care. However, sometimes there are problems with a case. [Provide details of your complaints procedure – i.e. If you ever feel unhappy please make an appointment to see me to talk about your concerns. If I am unable to resolve the matter than I will refer your complaint to [next stage of complaints procedure]].

